

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

DAVID LEE ATKINSON,

Civil No. 08-700-AA

Petitioner,

v.

JEAN HILL,

ORDER

Respondent.

AIKEN, District Judge.

Petitioner's Motion for Leave to Amend Pro Se Petition (#16) is allowed. Petitioner is allowed 30 days from the date of this order to file an amended petition. However, petitioner is advised that he may not file another proceeding challenging the same April 2, 2003, parole decision at issue in 06-1463-PK. If petitioner's amended petition constitutes a challenge to that decision, it will be dismissed as an improper duplicate proceeding.

Petitioner is advised that failure to file an amended petition within 30 days of the date of this order will result in the dismissal of this proceeding for failure to prosecute and as an improper duplicate proceeding.

Respondent's Motion to Dismiss (#16) is denied without prejudice.

DATED this 8 day of April, 2009.

/s/ Ann Aiken

Ann Aiken

United States Magistrate Judge